

## **BILL ANALYSIS**

Senate Research Center  
79R11392 DWS-D

C.S.S.B. 642  
By: Lucio  
Transportation & Homeland Security  
4/21/2005  
Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Currently Section 545.412, Transportation Code, provides that a person commits an offense if the person operates a passenger car or light truck and transports a child who is younger than five years of age and less than 36 inches tall without properly securing the child in a child passenger safety system, but the offense is not a moving violation. Previously, the legislature passed a bill authorizing the Texas Education Agency to approve a specialized course in seat belt safety. The course is required to have at least four hours of instruction that encourages the use of child passenger safety seat systems and instructs a student on how to properly use a child passenger safety seat and the dangerous consequences of failing to properly secure a child.

C.S.S.B. 642, by making the offense a moving violation, could encourage more drivers to take the course in order to keep the moving violation off their driving records and reduce points under the new point system.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 708.052, Transportation Code, by adding Subsection (f), to provide that for the purposes of this section, an offense under Section 545.412 (Child Passenger Safety Seat Systems; Offense), Transportation Code, is a moving violation of a traffic law.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.